

Application Number 10/583,242
Response to the Office Action dated September 18, 2008

REMARKS

Favorable reconsideration of this application is requested in view of the above amendments and the following remarks.

Claim 1 has been amended to include limitations of previously presented claim 3 and as supported by table 1 of the specification at page 21 and clarify that the step pile fabric is obtained from the pile fabric, that the pile fabric is made of an acrylic shrinkable fiber and a non-shrinkable fiber, and that the acrylic shrinkable fiber comprises an acrylic copolymer as supported by the specification at page 4, line 16 – page 5, line 7, and page 5, lines 10 – page 6, line 2. Accordingly, Claims 3 has been canceled. Claim 1 has been further amended, in addition to editorial revisions, to clarify that the down hair is obtained by treating the acrylic shrinkable fiber by dry heat as supported by the specification at page 4, lines 16-20. Claim 2 has been amended editorially.

Claim 4 has been canceled, and claim 8 has been added, which is similar to canceled claim 4 in an independent form and including limitations of previously presented claim 3 with editorial revisions. Accordingly, claim 7 has been canceled. Claim 6 has been amended to depend from claim 8 as supported by the specification at page 10, lines 8-10.

Claims 1-3 and 5 have been rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Applicants respectfully traverse this rejection.

Claim 1 has been amended to include a non-shrinkable fiber to clarify that the step pile fabric is obtained from the pile fabric, that the pile fabric comprises the acrylic shrinkable fiber and the non-shrinkable fiber, and further that a down hair is obtained from the acrylic shrinkable fiber in the pile fabric and that the acrylic shrinkable fiber is made of the acrylic copolymer. Claim 1 has been further amended to eliminate a definite article “the” from “down hair component” and has no antecedent basis issue. Accordingly, the relationship among the down hair, the acrylic shrinkable fiber, the non-shrinkable fiber, the pile fabric, and the step pile fabric is clear, and this rejection should be withdrawn.

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Claims 1-7 have been rejected under 35 U.S.C. 103(a) as being obvious over Kuroda et al. (U.S. Patent Application Publication No. 2004/0185222) in view of Tokumoto et al. (Japanese Patent Application Publication No. 2003-253574). Applicants respectfully traverse this rejection.

Kuroda discloses a pile fiber for a down hair that includes acrylic fiber (A) shrinkable by a dry heat treatment (see paras. [0005] and [0009]). Even if acrylic fiber (A) of Kuroda is similar to copolymer (I), Kuroda fails to disclose acrylic shrinkable fiber that is made of a combination of copolymers (I) and (II) as claims 1 and 8 require. By controlling the ratio of copolymers (I) and (II), the acrylic shrinkable fiber can be sufficiently colored at low temperature and avoid formation of void and agglutination (see page 7, lines 10-15 of the specification). Accordingly, claims 1 and 8 are distinguished from Kuroda.

Tokumoto discloses an acrylic fiber shrinkable 10 % or more when treated at 98 °C for 3 minutes or longer (see para. [0011]) and that the acrylic shrinkable fiber is treated with an anion activator and dyed at low temperature (see para. [0009]). Tokumoto, however, fails to disclose a combination of two copolymers of the acrylic shrinkable fiber at a particular ratio as claims 1 and 8 require. Thus, Tokumoto does not remedy the deficiencies of Kuroda, and this rejection should be withdrawn.

In view of the above, Applicants request reconsideration of the application in the form of a Notice of Allowance.

Respectfully submitted,

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